

01-03-05

AF/ 3682
Iw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket No. DKT 99083

*Reply
Brief
Noted
8/11/05*
In the Application of:

JOHN A. HUMMEL ET AL.

U.S. Serial No.: 09/840,434

Filed: APRIL 23, 2001

For: BACK DRIVE SILENT CHAIN
SYSTEM WITH LOW PROFILE
SPROCKET

Confirmation No.: 4174

Examiner: VICKY A. JOHNSON

Group Art Unit: 3682

EXPRESS MAIL LABEL NO.: EV303831717US

Date: DECEMBER 30, 2004

REPLY IN SUPPORT OF APPEAL

Mail Stop Appeal Brief - Patents
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Brief in Reply is submitted to respond to the Examiner's Answer ("Answer") in this appeal that was mailed on November 3, 2004.

APPELLANTS DISAGREE WITH THE EXAMINER'S STATEMENT CONCERNING
GROUPING OF CLAIMS ON APPEAL

The Answer states at page 2 that all claims at issue, claims 1 – 9, stand or fall together because no statement that the grouping does not stand or fall together was submitted. It is correct that no such statement was submitted. It is not correct that claims 1 – 9 stand or fall